

Document No. 4854
1/8/87

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY
RE: FINAL DESIGNATION OF COX BUILDING ASSOCIATES LIMITED
PARTNERSHIP
APPROVAL OF FINAL WORKING DRAWINGS AND SPECIFICATIONS
AND PROPOSED DISPOSITION OF PARCEL 131A-7
(55 BARTLETT STREET)
IN THE CAMPUS HIGH URBAN RENEWAL AREA
PROJECT NO. MASS. R-129

WHEREAS, the Boston Redevelopment Authority, (hereinafter referred to as the "Authority"); has entered into a contract for loan and capital grant with the Federal Government under Title I of the Housing Act of 1949, as amended, which contract provides for financial assistance in the hereinafter identified Project; and

WHEREAS, the Urban Renewal Plan for the Campus High Urban Renewal Area, Project No. Mass. R-129, (hereinafter referred to as the "Project Area"), has been duly reviewed and approved in full compliance with local, State and Federal law; and

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under said Title I, including those prohibiting discrimination because of race, color, sex, religion or national origin; and

WHEREAS, Cox Building Associates Limited Partnership has expressed an interest in and/or have submitted a satisfactory proposal for the development of Disposition Parcel 131A-7 in the Campus High Urban Renewal Area; and

WHEREAS, the Authority is cognizant of Chapter 30, Sections 61 through 62H of the Massachusetts General Laws, as amended, with respect to minimizing and preventing damage to the environment:

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That Cox Building Associates Limited Partnership be and hereby is finally designated as Redeveloper(s) of Parcel 131A-7 in the Campus High Urban Renewal Area.
2. That it is hereby determined that Cox Building Associates Limited Partnership possess the qualifications and financial resources necessary to acquire and develop the land in accordance with the Urban Renewal Plan for the Project Area.
3. That disposal of said Parcel by negotiation is the appropriate method of making the land available for redevelopment.
4. That the Final Working Drawings and Specifications submitted by Cox Building Associates Limited Partnership for the development of Parcel 131A-7 conform in all respects to the Urban Renewal Plan for the Project Area, and that said Final Working Drawings and Specifications be and hereby are approved.

5. That it is hereby found and determined that the proposed development will not result in significant damage to or impairment of the environment and further, that all practicable feasible means and measures have been taken and are being utilized to avoid or minimize damage to the environment.

6. That the Director is hereby authorized for and in behalf of the Boston Redevelopment Authority to execute and deliver a Land Disposition Agreement and Deed conveying Parcel 131A-7 to Cox Building Associates Limited Partnership, said documents to be in the Authority's usual form.

7. That the Secretary is hereby authorized and directed to publish notice of the proposed disposal transaction in accordance with Section 105(E) of the Housing Act of 1949, as amended, including information with respect to the "Redeveloper's Statement for Public Disclosure" (Federal Form H-6004).

J. B. CRUZ



Telephone (617) 445-8901

John B. Cruz Construction Co., Inc.
One John Eliot Square
Roxbury, MA 02119

December 10, 1986

Mr. Stephen F. Coyle, Director
Boston Redevelopment Authority
One City Hall Plaza
Boston, MA 02201

RE: 55-Bartlett Street - 131A-7

Dear Steve:

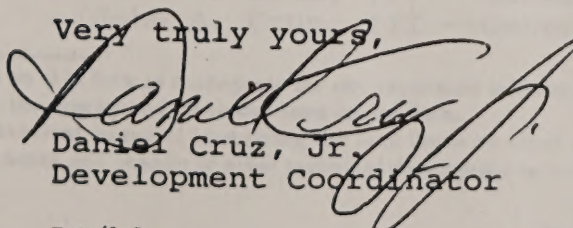
Cox Building Associates, which is a limited partnership consisting of two general partners, John B. Cruz, Jr., and John B. Cruz, III, would like to purchase the property referenced above.

This parcel, along with three others was developed as parking for the Cox Building. Our original scenario was to purchase this parcel with two others from the City at closing, but unfortunately, this parcel was still in tax title. After having several discussions with your staff, we were assured that as long as this parcel became city owned, it would be sold to us. We decided to go ahead and do the rehabilitation work while we were completing the other lots. The main reason for this was it being less expensive for us to do the excavating all at once than opposed to coming back and doing this parcel under separate contract.

Fifty-five Bartlett Street has now become City owned and subsequently has been transferred to your department. I have been working with Mr. David Baker of your staff on getting an appraisal for this property.

I am writing to request your support in going ahead with the final designation of this property to the Cox Building Associates, so that we may wrap up the final outstanding portion of the Cox Building rehabilitation. As always, your cooperation is greatly appreciated.

Very truly yours,


Daniel Cruz, Jr.
Development Coordinator

DC/hl

CC: John B. Cruz, III - David Baker

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
PART I - REDEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE ¹

Form Approved
OMB No. 63R-0867

A. REDEVELOPER AND LAND

1. a. Name of Redeveloper: Cox Building Associates
b. Address and ZIP Code of Redeveloper: One John Eliot Square, Roxbury, MA 02119
c. IRS Number of Redeveloper: 04-2889360

2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from

Boston Redevelopment Authority

(Name of Local Public Agency)

in Campus High

(Name of Urban Renewal or Redevelopment Project Area)

in the City of Boston, State of Massachusetts,
is described as follows ²

A vacant parcel of land formerly 55 Bartlett Street, approximately 2,900 square foot, Parcel 131A-7.

3. If the Redeveloper is not an individual doing business under his own name, the Redeveloper has the status indicated below and is organized or operating under the laws of Massachusetts:

- ☐ A corporation.
☐ A nonprofit or charitable institution or corporation.
☒ A partnership known as Cox Building Associates
☐ A business association or a joint venture known as
☐ A Federal, State, or local government or instrumentality thereof.
☐ Other (explain)

4. If the Redeveloper is not an individual or a government agency or instrumentality, give date of organization:
1984

5. Names, addresses, title of position (if any), and nature and extent of the interest of the officers and principal members, shareholders, and investors of the Redeveloper, other than a government agency or instrumentality, are set forth as follows: John B. Cruz, Jr. - General Partner
John B. Cruz, III - General Partner

¹If space on this form is inadequate for any requested information, it should be furnished on an attached page which is referred to under the appropriate numbered item on the form.

²Any convenient means of identifying the land (such as block and lot numbers or street boundaries) is sufficient. A description by metes and bounds or other technical description is acceptable, but not required.

PART I - REDEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE (Continued)

- a. If the Redeveloper is a corporation, the officers, directors or trustees, and each stockholder owning more than 10% of any class of stock¹.
- b. If the Redeveloper is a nonprofit or charitable institution or corporation, the members who constitute the board of trustees or board of directors or similar governing body.
- c. If the Redeveloper is a partnership, each partner, whether a general or limited partner, and either the percent of interest or a description of the character and extent of interest. John B. Cruz, III - 25%
John B. Cruz, Jr. - 75%
- d. If the Redeveloper is a business association or a joint venture, each participant and either the percent of interest or a description of the character and extent of interest.
- e. If the Redeveloper is some other entity, the officers, the members of the governing body, and each person having an interest of more than 10%.

<u>NAME, ADDRESS, AND ZIP CODE</u>	<u>POSITION TITLE (if any) AND PERCENT OF INTEREST OR DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST</u>
(C) John B. Cruz, Jr. One John Eliot Sq. Roxbury, MA 02119	25%
John B. Cruz, III One John Eliot Sq. Roxbury, MA 02119	75%

6. Name, address, and nature and extent of interest of each person or entity (not named in response to Item 5) who has a beneficial interest in any of the shareholders or investors named in response to Item 5 which gives such person or entity more than a computed 10% interest in the Redeveloper (for example, more than 20% of the stock in a corporation which holds 50% of the stock of the Redeveloper; or more than 50% of the stock in a corporation which holds 20% of the stock of the Redeveloper):

<u>NAME, ADDRESS, AND ZIP CODE</u>	<u>DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST</u>
N/A	

7. Names (if not given above) of officers and directors or trustees of any corporation or firm listed under Item 5 or Item 6 above:

N/A

B. RESIDENTIAL REDEVELOPMENT OR REHABILITATION

(The Redeveloper is to furnish the following information, but only if land is to be redeveloped or rehabilitated in whole or in part for residential purposes.)

¹ If a corporation is required to file periodic reports with the Federal Securities and Exchange Commission under Section 13 of the Securities Exchange Act of 1934, so state under this Item 5. In such case, the information referred to in this Item 5 and in Items 6 and 7 is not required to be furnished.

PART I - REDEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE (Continued)

Form Approved
OMB No. 63R-0867

1. State the Redeveloper's estimates, exclusive of payment for the land, for: N/A

- a. Total cost of any residential redevelopment. \$
- b. Cost per dwelling unit of any residential redevelopment. \$
- c. Total cost of any residential rehabilitation \$
- d. Cost per dwelling unit of any residential rehabilitation \$

2. a. State the Redeveloper's estimate of the average monthly rental (if to be rented) or average sale price (if to be sold) for each type and size of dwelling unit involved in such redevelopment or rehabilitation:

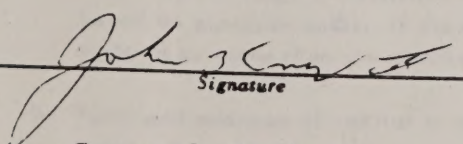
TYPE AND SIZE OF DWELLING UNIT	ESTIMATED AVERAGE MONTHLY RENTAL	ESTIMATED AVERAGE SALE PRICE
N/A	\$	\$

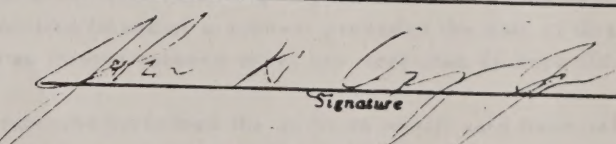
b. State the utilities and parking facilities, if any, included in the foregoing estimates of rentals;

N/A

c. State equipment, such as refrigerators, washing machines, air conditioners, if any, included in the foregoing estimates of sales prices: N/A

CERTIFICATION

I (We)¹ Cox Building Associatescertify that this Redeveloper's Statement for Public Disclosure is true and correct to the best of my (our) knowledge and belief.²Dated: December 5, 1986Dated: December 5, 1986


Signature
General Partner
Title


Signature
General Partner
Title
One John Eliot Sq., Roxbury, MA 02119 One John Eliot Sq. Roxbury, MA 02119
Address and ZIP Code Address and ZIP Code

¹ If the Redeveloper is an individual, this statement should be signed by such individual; if a partnership, by one of the partners; if a corporation or other entity, by one of its chief officers having knowledge of the facts required by this statement.

² **Penalty for False Certification:** Section 1001, Title 18, of the U.S. Code, provides a fine of not more than \$10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement or entry in a matter within the jurisdiction of any Department of the United States.

PART II - REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY

(For Confidential Official Use of the Local Public Agency and the Department of Housing and Urban Development. Do Not Transmit to HUD Unless Requested or Item 8b is Answered "Yes.")

1. a. Name of Redeveloper: Cox Building Associates

b. Address and ZIP Code of Redeveloper: One John Eliot Square, Roxbury, MA 02119

2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from

Boston Redevelopment Authority

(Name of Local Public Agency)

in Campus High

(Name of Urban Renewal or Redevelopment Project Area)

in the City of Boston, State of MA

is described as follows:

A vacant parcel of land formerly
55 Bartlett Street and approximately
2900 Sq. Ft. - Parcel #131A-7

3. Is the Redeveloper a subsidiary of or affiliated with any other corporation or corporations or any other firm or firms? ☒ YES ☐ NO

If Yes, list each such corporation or firm by name and address, specify its relationship to the Redeveloper, and identify the officers and directors or trustees common to the Redeveloper and such other corporation or firm.

Cruz Development Corporation John B. Cruz, Jr.

John B. Cruz Construction Co., Inc. John B. Cruz, III

Cruz Management

One John Eliot SQ., Roxbury, MA 02119

* 4. a. The financial condition of the Redeveloper, as of _____, 19____, is as reflected in the attached financial statement.

(NOTE: Attach to this statement a certified financial statement showing the assets and the liabilities, including contingent liabilities, fully itemized in accordance with accepted accounting standards and based on a proper audit. If the date of the certified financial statement precedes the date of this submission by more than six months, also attach an interim balance sheet not more than 60 days old.)

b. Name and address of auditor or public accountant who performed the audit on which said financial statement is based:

5. If funds for the development of the land are to be obtained from sources other than the Redeveloper's own funds, a statement of the Redeveloper's plan for financing the acquisition and development of the land:

*NOTE: All rehabilitation work with respect to this parcel has been completed as of September 1985, with an approximate rehabilitation cost of \$13,500.

PART II - REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY

6. Sources and amount of cash available to Redeveloper to meet equity requirements of the proposed undertaking:
N/A - The rehabilitation work has already been completed.

a. In banks:

NAME, ADDRESS, AND ZIP CODE OF BANKAMOUNT

\$

- b. By loans from affiliated or associated corporations or firms:

NAME, ADDRESS, AND ZIP CODE OF SOURCEAMOUNT

\$

N/A

- c. By sale of readily salable assets:

DESCRIPTIONMARKET VALUEMORTGAGES OR LIENS

\$

\$

N/A

7. Names and addresses of bank references:

N/A

8. a. Has the Redeveloper or (if any) the parent corporation, or any subsidiary or affiliated corporation of the Redeveloper or said parent corporation, or any of the Redeveloper's officers or principal members, shareholders or investors, or other interested parties (as listed in the responses to Items 5, 6, and 7 of the Redeveloper's Statement for Public Disclosure and referred to herein as "principals of the Redeveloper") been adjudged bankrupt, either voluntary or involuntary, within the past 10 years? ☐ YES ☒ NO

If Yes, give date, place, and under what name.

- b. Has the Redeveloper or anyone referred to above as "principals of the Redeveloper" been indicted for or convicted of any felony within the past 10 years? ☐ YES ☒ NO

If Yes, give for each case (1) date, (2) charge, (3) place, (4) Court, and (5) action taken. Attach any explanation deemed necessary.

9. a. Undertakings, comparable to the proposed redevelopment work, which have been completed by the Redeveloper or any of the principals of the Redeveloper, including identification and brief description of each project and date of completion:

N/A

PART II - REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY (Continued)

- b. If the Redeveloper or any of the principals of the Redeveloper has ever been an employee, in a supervisory capacity, for construction contractor or builder on undertakings comparable to the proposed redevelopment work, name of such employee, name and address of employer, title of position, and brief description of work:

N/A

10. Other federally aided urban renewal projects under Title I of the Housing Act of 1949, as amended, in which the Redeveloper or any of the principals of the Redeveloper is or has been the redeveloper, or a stockholder, officer, director or trustee, or partner of such a redeveloper: N/A

11. If the Redeveloper or a parent corporation, a subsidiary, an affiliate, or a principal of the Redeveloper is to participate in the development of the land as a construction contractor or builder: N/A

a. Name and address of such contractor or builder:

- b. Has such contractor or builder within the last 10 years ever failed to qualify as a responsible bidder, refused to enter into a contract after an award has been made, or failed to complete a construction or development contract? ☐ YES ☐ NO

If Yes, explain: N/A

- c. Total amount of construction or development work performed by such contractor or builder during the last three years: \$ _____ N/A

General description of such work:

- d. Construction contracts or developments now being performed by such contractor or builder:

IDENTIFICATION OF
CONTRACT OR DEVELOPMENT

LOCATION

AMOUNT

DATE TO BE
COMPLETED

N/A

\$

PART II - REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY (Continued)

c. Outstanding construction-contract bids of such contractor or builder:

AWARDING AGENCY

AMOUNT

DATE OPENED

N/A

\$

12. Brief statement respecting equipment, experience, financial capacity, and other resources available to such contractor or builder for the performance of the work involved in the redevelopment of the land, specifying particularly the qualifications of the personnel, the nature of the equipment, and the general experience of the contractor:

N/A

13. a. Does any member of the governing body of the Local Public Agency to which the accompanying bid or proposal is being made or any officer or employee of the Local Public Agency who exercises any functions or responsibilities in connection with the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal?

☐ YES ☒ NO

If Yes, explain.

- b. Does any member of the governing body of the locality in which the Urban Renewal Area is situated or any other public official of the locality, who exercises any functions or responsibilities in the review or approval of the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal?

☐ YES ☒ NO

If Yes, explain.

14. Statements and other evidence of the Redeveloper's qualifications and financial responsibility (other than the financial statement referred to in Item 10) are attached hereto and hereby made a part hereof as follows:

CERTIFICATION

I (We) Cox Building Associates

certify that this Redeveloper's Statement of Qualifications and Financial Responsibility and the attached evidence of the Redeveloper's qualifications and financial responsibility, including financial statements, are true and correct to the best of my (our) knowledge and belief.²

Dated: December 5, 1986Dated: December 5, 1986

Signature

Signature

General Partner

General Partner

Title

Title

One John Eliot Sq., Roxbury, MA 02119

One John Eliot Square, Roxbury, MA 02119

Address and ZIP Code

Address and ZIP Code

¹ If the Redeveloper is a corporation, this statement should be signed by the President and Secretary of the corporation; if an individual, by such individual; if a partnership, by one of the partners; if an entity not having a president and secretary, by one of its chief officers having knowledge of the financial status and qualifications of the Redeveloper.

² Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than \$10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement or entry to a matter within the jurisdiction of any Department

MEMORANDUM

January 8, 1987

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: RICARDO A. MILLETT, ASSISTANT DIRECTOR FOR
NEIGHBORHOOD HOUSING AND DEVELOPMENT
MUHAMMAD ABDUS-SABUR, DEPUTY DIRECTOR FOR
NEIGHBORHOOD HOUSING AND DEVELOPMENT
DAVE BAKER, PROJECT COORDINATOR

SUBJECT: CAMPUS HIGH URBAN RENEWAL AREA
MASS. NO. R-129
FINAL DESIGNATION OF REDEVELOPER PARCEL 131A-7
(55 BARTLETT STREET)

Cox Building Associates, a limited partnership of general partners John B. Cruz, Jr., and John B. Cruz, III, received final designation on May 10, 1984 to rehabilitate the Cox Building in John Elliot Square in Roxbury into 31 units of low and moderate income rental housing and to construct 27 units of off street parking. Plans submitted by the developers and approved by the Authority anticipated that the parking would be developed on four vacant lots contiguous to the Cox Building. Two of these lots were BRA-owned; the developers were designated for these through the Authority's regular procedure. A third lot, privately-owned, was purchased by the developers. The fourth lot, however, was in tax foreclosure, and as the owner could not be located, it was not included in the final designation. Verbal agreements were made, however, that if the lot were transferred to the BRA, Cox Building Associates could be designated as its developer.

After final designation the developers, at their own risk, constructed the parking lot on all four lots to avoid additional excavation costs under a separate contract. Rehabilitation of the Cox Building and construction of the parking lot were completed in 1985.

The formerly tax-foreclosed lot, containing 2900 square feet of land and located at 55 Bartlett Street, has become city property. The Real Property Board has approved transfer of title to the BRA for use as parking for the Cox Building. An LDA is being drafted which restricts use of the lot to parking.

It is therefore recommended that the Authority adopt the attached resolution approving the final designation of the Cox Building Associates Limited Partnership as redevelopers of Parcel 131A-7 in the Campus High Urban Renewal Area.

As appropriate Resolution follows:



CAMPUS HIGH URBAN RENEWAL PROJECT
LOCATION MAP
55 BARTLETT STREET
PARCEL 131A-7